REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims comply with 35 U.S.C. § 112 and are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. **If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.**

The applicants will now address each of the issues raised in the outstanding Office Action.

Rejections under 35 U.S.C. § 112

Claims 23 and 27 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

The Examiner rejected these claims because the phrase "stored path information" lacked proper antecedent basis. Claims 23 and 27 have been amended to obviate this rejection. Therefore, the applicants respectfully

request that the Examiner reconsider and withdraw this ground of rejection.

Rejections under 35 U.S.C. § 103

Claims 11-13, 15-28 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,002,905 ("the Khouri patent") in view of U.S. Patent No. 6,347,085 ("the Kelly patent"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Independent claims 11, 16, 18-20, 24 and 28 are not rendered obvious by the Khouri and Kelly patents because (1) these patents do not teach informing an ***external node*** that a router has redundant routing facilities and informing the ***external node*** of the identity of the currently designated routing facility (or receiving such information from an ***external node***) as alleged by the Examiner, (2) these patents do not teach providing network information, from both a currently designated routing facility and a standby routing facility, to the external node (or receiving such information from an external node) as alleged by the Examiner, and (3) one skilled in the art would not have been motivated to combine the Khouri and Kelly patents as proposed by the Examiner. Each of these issues is discussed below.

The Khouri and Kelly patents do not teach informing an ***external node that a router has redundant routing facilities*** and informing the ***external node*** of the identity of the currently designated routing facility (or receiving such information from an ***external node***) as

alleged by the Examiner. The Examiner argues that in the Khouri patent, the CPU 304 teaches an external node which is informed that the router has redundant routing facilities. The applicants respectfully disagree.

In the Khouri patent, ***both*** an active processor unit 204 and a standby processor unit 206 ***are provided on the same switch***. (See Fig. 2 of the Khouri patent.) Each of the processor units 204 and 206 includes the components, including a CPU, described in detail with respect to Fig. 3. Thus, in the Khouri patent, the extent to which a CPU runs the method of the flowchart of Fig. 4, the standby card is simply another card ***provided on the same switch as the active card, not on another external switch***. That is, the standby card is not an ***external node*** to the CPU of the active card, nor is the CPU of the active card an ***external node*** to the standby card. Furthermore, the active card (with its CPU) is provided on the same switch (having redundant routing facilities). The purported teachings of the Kelly patent do not compensate for this deficiency.

Independent claims 11, 16, 18 and 19 are not rendered obvious by the Khouri and Kelly patents for at least the foregoing reason. Independent claims 20, 24 and 26, which recite an "external router" rather than an "external node," are similarly not rendered obvious by the Khouri and Kelly patents. Since claims 12, 13 and 15 depend from claim 11, since claims 17 and 30 depend from claim 16, since claims 21-23 depend, either directly or indirectly, from claim 20, and since claims 25-27 depend, either directly or indirectly, from claim 24, these claims are similarly not rendered obvious by the Khouri and Kelly patents.

The Khouri and Kelly patents do not teach providing network information, from both a currently designated routing facility and a standby routing facility, to the external node (or receiving such information from an external node) as alleged by the Examiner. The Examiner alleges that that fact that processor unit A 204 stores and sends state table and routing information to CPU 304 to perform routing teaches providing, with a currently designated routing facility, network information to an external node. The applicants respectfully disagree.

As should be appreciated from the foregoing, each of the processor units 204 and 206 includes the components, including a CPU, described in detail with respect to Fig. 3. Therefore, the CPU in Figure 3 ***is a component of*** the processor unit, and cannot be characterized as an ***external node***. Consequently, independent claims 11, 16, 18 and 19 are not rendered obvious by the Khouri and Kelly patents for at least this second reason. Independent claims 20, 24 and 26, which recite an "external router" rather than an "external node," are similarly not rendered obvious by the Khouri and Kelly patents. Since claims 12, 13 and 15 depend from claim 11, since claims 17 and 30 depend from claim 16, since claims 21-23 depend, either directly or indirectly, from claim 20, and since claims 25-27 depend, either directly or indirectly, from claim 24, these claims are similarly not rendered obvious by the Khouri and Kelly patents.

Finally, one skilled in the art would not have been motivated to combine the Khouri and Kelly patents as proposed by the Examiner. The Examiner concedes that the Khouri patent does not disclose informing an external

node of the identity of the currently designated routing facility. In an attempt to try to compensate for this admitted deficiency of the Khouri patent, the Examiner relies on the Kelly patent, arguing that (1) the Kelly patent teaches providing a calling partying with a list of IP addresses of redundant, alternative gateways, through which to route packets in case the primary gateway fails, and (2) it would have been obvious to one of ordinary skill in the art at the time of the invention to include informing an external node of the identity of the currently designated routing facility such that the external router knows which routing facility to use to route packets in case of failure. The applicants respectfully disagree.

As demonstrated above, the CPUs 304 provided on the processor units 204, 206 of the Khouri patent are not external nodes to either its own processor unit (e.g., 204), or that of the other processor unit (e.g., 206). Furthermore, since both processor units 204 and 206 are provided on the same switch 104 (and indeed share a common bus 210), the active one of the processor units does not need to be provided with an identity of a currently designated (e.g., active) routing facility. Indeed, since the Khouri patent can presumably operate to use a backup processor unit in some failure scenarios of the active processor unit, it is unclear what advantage one would achieve by adding a purported teaching from the Kelly patent (which concerns converting a telephone number to an IP address using a gateway) to the switch 104 of the Khouri patent. Indeed, in the Khouri patent, the switch 104 presumably has one network layer address, and the processor units 204, 206 of the switch 104

presumably have the same IP address as that of the switch 104 (since they are components of the switch 104).

Thus, independent claims 11, 16, 18 and 19 are not rendered obvious by the Khouri and Kelly patents for at least this third reason. Independent claims 20, 24 and 26, which recite an "external router" rather than an "external node," are similarly not rendered obvious by the Khouri and Kelly patents. Since claims 12, 13 and 15 depend from claim 11, since claims 17 and 30 depend from claim 16, since claims 21-23 depend, either directly or indirectly, from claim 20, and since claims 25-27 depend, either directly or indirectly, from claim 24, these claims are similarly not rendered obvious by the Khouri and Kelly patents.

Dependent claim 13, as amended, further recites that the act of informing an external node that the router has redundant routing facilities includes generating and transmitting a message including an identification of the router, an address of the currently designated routing facility, and an address of the current standby routing facility, while dependent claim 17 further recites that the currently designated routing facility has a first internet address and the current standby routing facility has a second internet address. The Examiner concedes that the Khouri patent fails to teach these features, but attempts to rely on the Kelly patent to compensate for this deficiency. However, as discussed above, in the Khouri patent, since both processor units 204 and 206 are provided on the same switch 104 (and indeed share a common bus 210), the active one of the processor units does not need to be provided with an identity of the router to which it belongs. Indeed, since the Khouri

patent can presumably operate to use a backup processor unit in some failure scenarios of the active processor unit, it is unclear what advantage one would achieve by adding a purported teaching from the Kelly patent (which concerns converting a telephone number to an IP address using a gateway) to the switch 104 of the Khouri patent. Indeed, in the Khouri patent, the switch 104 presumably has one network layer address, and the processor units 204, 206 of the switch 104 presumably have the same IP address as that of the switch 104 (since they are components of the switch 104). Thus, dependent claims 13 and 17 are not rendered obvious by the Khouri and Kelly patents for at least this additional reason.

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Khouri patent in view of the Kelly patent, and in further view of U.S. Patent Publication No. 2002/0021675 ("the Feldmann publication"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Claim 14 depends from independent claim 11. Since the purported teachings of the Feldmann publication do not compensate for the deficiencies of the Khouri and Kelly patents with respect to claim 11, as discussed above, claim 14 is not rendered obvious by these references, regardless of the scope of the purported teaching of the Feldmann publication and regardless of the presence or absence of an obvious reason to combine these references.

Furthermore, one skilled in the art would not have been motivated to combine these references as proposed by

the Examiner. The Examiner cites the Feldmann patent as teaching the use of an interdomain routing protocol, such as BGP, to select paths between different autonomous systems. The Examiner then argues that it would have been motivated to use BGP since the IS-IS (the applicants assume the Examiner intended to say "BGP") protocol is a typical inter-domain protocol used to create forwarding tables. The applicants disagree.

As discussed above, in the Khouri patent, both the active and standby processor units 204, 206 are provided on the same switch 104. The Examiner alleges that the CPU 304 of one of the processor units 204, 206 is the claimed external node. One skilled in the art would not be motivated to apply an inter-domain protocol such as BGP within such a switch since a switch, and its components, are presumably within an integral system and therefore within a single autonomous system. Therefore, claim 14 is not rendered obvious by the cited references for at least this additional reason.

Claim amendments

Claims 11, 15-17, 20, 24 and 30 have been amended to correct a minor typographical error.

New Claims

New claims 31 and 33 depend from claims 11 and 16, respectively, and further recite that the external node is a second router which is external to the router. New claims 32 and 34 depend from claims 31 and 33, respectively, and further recite that the router and the

second router belong to different autonomous systems. Similarly, new claims 35 and 36 depend from claims 20 and 24, respectively, and further recite that the router and the external router belong to different autonomous systems. The claims are supported, for example, by Figures 8 and 9 and paragraphs [0050] through [0056] of the present application.

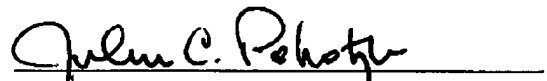
Conclusion

In view of the foregoing amendments and remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

Any arguments made in this amendment pertain ***only*** to the specific aspects of the invention ***claimed***. Any claim amendments or cancellations, and any arguments, are made ***without prejudice to, or disclaimer of***, the applicants' right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Respectfully submitted,

December 26, 2007



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